

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

EARNEST O. DUBLIN, <i>et al.</i>,	:	
	:	
Plaintiffs,	:	Case No. 2:22-cv-04350
	:	
v.	:	Chief Judge Algenon L. Marbley
	:	
FETA TRANSPORT, INC., <i>et al.</i>,	:	Magistrate Judge Chelsey M. Vascura
	:	
Defendants.	:	

ORDER

This matter is before the Court on the parties' Joint Motion to Remand (ECF No. 9). This case was removed from the Franklin County Court of Common Pleas on December 12, 2022, on the basis of federal diversity jurisdiction. (Notice of Removal ¶ 7, ECF No. 3). On January 20, 2023, Plaintiffs filed stipulations that each Plaintiff does not seek damages in excess of Seventy-Five Thousand Dollars (\$75,000.00) in this case, and thus that the case does not meet the amount-in-controversy requirement for jurisdiction pursuant to 28 U.S.C. § 1332. (*See* Dublin's Stipulation, ECF No. 9-1; Kimberlin's Stipulation, ECF No. 9-2). Plaintiffs had previously stated inadvertently that they each demand damages in excess of \$75,000.00, in response to Defendant's request for admissions; the parties now jointly request leave to withdraw and amend the responses (ECF No. 8).

For good cause shown, the Joint Motion to Withdraw (ECF No. 8) is **GRANTED** pursuant to Fed. R. Civ. P. 36(b). The parties agree that the requirements for federal diversity jurisdiction are not met, and that remand is appropriate. Accordingly, the Joint Motion to Remand (ECF No. 9) is also **GRANTED**. This case is hereby **REMANDED** to the Franklin County Court of Common Pleas. All pending motions are **MOOT**.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: January 23, 2023